

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ERIC MACALPINE; ANDREW
GREMMO; and BRIAN HICKERSON,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

ONNIT LABS, INC.,

Defendant.

Defendant.

Civil Action No. 1:24-cv-933

CLASS ACTION

DEMAND FOR JURY TRIAL

**DEFENDANT'S UNOPPOSED MOTION TO EXTEND THE DEADLINE TO
RESPOND TO THE SECOND AMENDED CLASS ACTION COMPLAINT**

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Counsel for Defendant
Onnit Labs, Inc.

October 25, 2024

Defendant Onnit Labs, Inc. (“Onnit”) files this Unopposed Motion to Extend the Deadline to Respond to the Second Amended Class Action Complaint (“SAC”), seeking a one-week extension until **November 13, 2024** as the deadline to answer or otherwise respond to the SAC.

In support of its Motion, Onnit respectfully provides the Court the following information:

1. Plaintiffs filed their SAC on October 23, 2024, with Onnit’s consent.
2. Onnit’s deadline to answer or file a responsive pleading is currently November 6, 2024.
3. Onnit and Plaintiffs agree that an additional extension of time is necessary to afford Onnit time to investigate the new plaintiff added through the SAC, and to determine if a resolution can be reached without the need for further litigation.
4. Accordingly, Onnit requests that the Court grant it until **November 13, 2024**, in which to file its answer or responsive pleading to the SAC.
5. Counsel for Onnit has conferred with counsel for Plaintiffs, who advised that Plaintiffs do not oppose and agree to the requested extension of time.
6. Plaintiffs will not be adversely affected by the requested extension.
7. The extension of time is not sought for the purpose of delay, but rather to assist in bringing this matter to an efficient resolution.

WHEREFORE, Onnit respectfully requests that the Court grant this Unopposed Motion to Extend the Deadline to Respond to the Second Amended Class Action Complaint and extend the deadline to November 13, 2024.

Dated: October 25, 2024

Respectfully Submitted,

ARENTFOX SCHIFF LLP



By: _____

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CERTIFICATE OF SERVICE

I hereby certify that pursuant to the Federal Rules of Civil Procedure 5, this 25th day of October, 2024 I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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